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Release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts

Report of the Secretary-General

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I. Introduction

1. At its forty-fifth session, the Commission on the Status of Women adopted resolution 45/1 on the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts. In this resolution, the Commission on the Status of Women recalled all its previous resolutions on this subject as well as the relevant provisions contained in the instruments of international humanitarian law relative to the protection of women and children in areas of armed conflict.[1]

2. The Commission expressed its strong belief that the rapid and unconditional release of women and children taken hostage in areas of armed conflict would promote the implementation of the noble goals enshrined in the Beijing Declaration and Platform for Action and in the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century". It urged all parties to armed conflicts to respect fully the norms of international humanitarian law in armed conflict and to take all necessary measures for the protection of these women and children and for their immediate release. It also urged all parties to armed conflicts to provide safe unimpeded access to humanitarian assistance for those women and children and requested the Secretary-General to prepare, taking into account the information provided by Member States and relevant international organizations, a report on the implementation of resolution 45/1 for submission to the Commission on the Status of Women at its forty-sixth session in 2002.

3. The present report was prepared in accordance with this request and is based on information received from eleven Member States as well as from relevant entities of the United Nations system.

II. Information from Member States

4. The Governments of Ghana, Malaysia, Malta, Oman, Portugal and the United Republic of Tanzania reported that the situation described in resolution 45/1 did not exist in their respective countries as they were not involved in armed conflicts. In its reply, the Government of Belarus did not report any situation of armed conflict in the country.

5. The Government of Bolivia informed the Commission that no situation of armed conflict existed in the country, but that social upheavals caused primarily by economic problems led to the eruption of violence against women and children. The Government of Bolivia stated that it was necessary to bear in mind the laws aimed at preventing violence against women and children. It also stated the need to promote actions aimed at achieving the goals of the Beijing Declaration and Platform for Action and the need to reaffirm the full applicability of resolution 45/1 in defence of human rights as established by the Bolivian legal system.

6. The Government of Lebanon stated that it was fully committed to the provisions of resolution 45/1. It also stated that, on 5 October 2000, it acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. No situation of women and children taken hostage was reported for the period September 2000-September 2001.

7. The Government of Uganda reported that in both northern and south-western Uganda there were 30,839 abducted persons, a small percentage (2 per cent) of whom were women. It also stated that 11,110 children had been taken hostage since the beginning of the insurgency, 5,923 of whom had not been released yet. It reported that 5,700 children had been rescued and had been resettled with their families.

8. The Government of the United Kingdom of Great Britain and Northern Ireland stated that, although it did not have any specific information on the subject nor experiences on which to draw, it was concerned by the grouping of women and children together in a single report. It stated that it was increasingly inappropriate to consider these two separate demographic groups as a single entity, as the issues dealt with in the context of Commission on the Status of Women resolution 45/1 affected women and children in potentially different ways. According to the Government of the United Kingdom of Great Britain and Northern Ireland, the Commission on the Status of Women should limit itself to fulfilling its mandate arising from the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly, and to taking other action specifically in pursuit of the advancement of women. It also stated that if the mandate given by resolution 45/1 adopted by the forty-fifth session of the Commission on the Status of Women had to be followed and cover both women and

children, its strong preference was that the two demographic groups should be addressed in two separate reports.

III. Information from the United Nations system

9. The Department of Peacekeeping Operations provided information from five of its missions: the United Nations Mission in Sierra Leone (UNAMSIL); the United Nations Interim Administration Mission in Kosovo (UNMIK); the United Nations Observer Mission in Georgia (UNOMIG); the United Nations Transitional Administration in East Timor (UNTAET) and the United Nations Truce Supervision Organization (UNTSO).

10. The United Nations Mission in Sierra Leone (UNAMSIL) reported that the conflict in Sierra Leone was one of the most brutal in Africa and that atrocities had been committed against women and children who were abducted, raped, and forced to fight and kill. Abducted women and children were regularly used as porters, forced labourers, sex slaves and "wives". The number of women and children still in captivity was uncertain and estimates were normally based on information received from those who were released or who managed to escape.

11. The United Nations Mission in Sierra Leone also reported that in the duration of the armed conflict, all fighting forces regularly abducted civilians. Although 2,771 women and children were released by the Revolutionary United Front (RUF) and by the Civil Defence Force (CDF) further to the 1999 Lomé Peace Agreement, and particularly further to the signing of the joint communiqué of the tripartite consultation meeting on 15 May 2001, efforts by the international community towards the release of the remaining abductees continued.

12. In addition, the United Nations Mission in Sierra Leone reported on the difficulties in the demobilization and reintegration of women and children who had been held in captivity. Very little was known about the recovery needs of girls who had been held in captivity, were sexually abused or had become child mothers. Owing to the stigma attached to women abducted by the fighting forces, and because they were repeatedly raped and/or forced to fight, many women feared repercussions from the community. As a result, upon release, they did not wish to be reunited with their families but preferred to remain with their captors.

13. The United Nations Interim Administration Mission in Kosovo reported that it had worked in collaboration with the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the International Committee of the Red Cross, national non-governmental organizations (NGOs) and family organizations for the release of approximately 2,000 Kosovo Albanians. According to the report, these Albanians, including women and juveniles under the age of 18, had been taken from Kosovo by retreating Serb security forces, imprisoned in Serbia and tried and convicted of political crimes in unfair trials.

14. The United Nations Interim Administration Mission in Kosovo also stated that as of 24 August 2001 208 Albanians were still detained in Serbia, including three women held for criminal charges in the Pozarevac prison. It also reported that, according to information provided by the United Nations Children's Fund (UNICEF), four juveniles who were detained in 2000 in Serbia and charged with participation in acts of terrorism were released over the course of 2001.

15. The Office of the United Nations High Commissioner for Human Rights, Human Rights Field Operation in the former Yugoslavia, Federal Republic of Yugoslavia, had been very active in following specific cases of women taken hostage. Among these was the case of the Djakovica Group, a group of 143 ethnic Albanians, including women, from the town of Djakovica. This group, which had been sentenced to a total of 1,632 years in prison for acts of terrorism, was released in April 2001. It also followed the case of Ms. Flora Brovina, a poet, paediatrician and women's rights activist, who was arrested in December 1999 and sentenced to 12 years in prison with the charge of hostile activity in connection with terrorism. She was released in November 2000.

16. The United Nations Observer Mission in Georgia (UNOMIG) reported recent cases of women and children having been taken hostage in Georgia. However, these abductions were not directly related to armed conflicts but rather to socio-economic hardship in the aftermath of the 1992-1993 war. Between November 2000 and May 2001, on separate occasions, two men, one woman and five children were abducted,

mainly in order to receive the payment of a ransom. They were subsequently released.

17. The United Nations Transitional Administration in East Timor reported that the situation of women and children held in hostage-like situations in West Timor and other parts of Indonesia remained difficult to assess as no official figures were available. Thousands of women and children were forcibly deported during the post-referendum violence which erupted in East Timor in September 1999. During the post-referendum violence, more than 250,000 people became refugees in West Timor, Indonesia. From 60,000 to 80,000 people were estimated to be still unable to return from West Timor, where many lived in militia-controlled camps.

18. The United Nations Transitional Administration in East Timor stated that East Timorese women and children had become hostage during the armed conflict in multiple ways. Firstly, there were women (these included women who had been forced to marry armed militia members) and children who were abducted during the violence in East Timor and subsequently forcibly taken to West Timor. Secondly, there were children who had been separated from their families during a time of extreme deprivation, or under outright coercion. Thirdly, there were women and children who were dependent on militia leaders and others and were not able to exercise their free will to return. They were held in hostage-like situations, where their return was being negotiated by their captors.

19. UNTAET reported that non-governmental organizations had documented more than 10 cases of women who were compelled to become the wives of armed militias during the conflicts and were forcibly brought to West Timor, where they lived in situations of servitude, isolated from their own kin. These women and girls were particularly vulnerable to sexual abuse and had no recourse to social support in times of need. The Transitional Administration also reported that from 1,200 to 2,000 separated children were estimated to live in various provinces in Indonesia, many of whom had been taken from their parents or guardians in the camps under duress. It also reported that some parents of these children had indicated their wish to be reunited. This had not yet been achieved, although negotiations between UNTAET and the Indonesian Government continued to take place.

20. The United Nations Truce Supervision Organization in the Middle East (UNTSO) reported that facilitating the release of women and children taken hostage, as mandated by Commission on the Status of Women resolution 45/1, was not a specific part of UNTSO's mandate, since UNTSO had neither programmatic nor budgetary provisions for this task.

21. The United Nations Children's Fund (UNICEF) reported on the situation of and assistance to women and children who were victims of armed conflict in Colombia, Sierra Leone, Sri Lanka, the Sudan and Uganda. Assistance provided included programmes focusing on the psychosocial recovery of children affected by armed conflict. In Colombia the position of women and children had been affected by the escalation of armed conflict, which had led to social violence and insecurity for Colombian families. Among the activities undertaken by UNICEF in Colombia were sensitization efforts with illegal armed groups, aimed at promoting the withdrawal of child soldiers and preventing their recruitment.

22. UNICEF reported that in September 2000 talks were held between the foreign ministers of the Sudan and Uganda in order to address the problem of the abductions of Ugandan children by the Lord's Resistance Army (LRA) in the Sudan. UNICEF reported that efforts to address the complex issues arising from the abduction of Sudanese children and women into servitude by government-backed militia forces from Western Sudan as well as from the abduction of Ugandan children by the Lord's Resistance Army into the Sudan continued. However, progress was slow and difficulties remained in verifying that children had actually been abducted. In 2000, 1,230 abducted women and children had been identified in a preliminary fashion, although their situation had not been fully verified. In this context, UNICEF reported that it supported the establishment of the government Committee for the Eradication of Abduction of Women and Children (CEAWC) in eight target states in Sudan.

23. UNICEF also reported that it was implementing the Basic Education, Child Care and Adolescent Development (BECCAD) child protection programme in Uganda, which continued to ensure the provision of education to children in areas of conflict as well as counselling to formerly abducted children.

24. The United Nations Development Fund for Women (UNIFEM) reported that in the Democratic Republic of the Congo and neighbouring countries it

was working with women and children, who were particularly vulnerable to violence owing to the current war. Cases of arbitrary arrests of women were found, with women being detained for months without trial. These imprisoned women were allegedly exposed to violence, humiliation and torture by guards and by other prisoners. In order to address these forms of violence, UNIFEM reported that it was supporting women's groups in the organization of a campaign aimed at collecting women's stories, and mobilizing non-governmental organizations, the general public and the Government of the Democratic Republic of the Congo to take action. The campaign included holding workshops on women's human rights; lobbying the international community to raise funds for human rights monitoring and for the punishment of those responsible for crimes against women; and exerting pressure on the combating parties in order to halt their abuses on women.

25. The Department of Public Information (DPI) reported that the UN Radio covered various issues concerning women and children in armed conflicts in the daily news, the current affairs magazines and feature programmes.

26. In their replies, the Economic Commission for Africa (ECA) and the Economic and Social Commission for Western Asia (ESCWA) stated that they did not have any relevant information on women and children taken hostage to assist in preparation of this report.

IV. Observation

27. In the light of the views expressed by one Government in paragraph 8 above, and of the work of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the Commission on the Status of Women may wish to revisit its mandate to the Secretariat on the focus of the report to be prepared for its future sessions.

Notes

[1] *Official Records of the Economic and Social Council, 2001, Supplement No. 7* (E/2001/27), chap. I, sect. B.